

FARMINGTON CITY COUNCIL MEETING

Wednesday, September 18, 2002

BOND ELECTION INFORMATION PUBLIC OPEN HOUSE/WEST CONFERENCE ROOM

Starting at 5:30 P.M. the City Council held an open house for the public to learn more about proposed November Bond Election. If approved, bond proceeds would include:

1. An addition to the City Hall to be used as a Community Center for performing arts, classes, other public uses, as well as be available for private rentals for wedding receptions, family gatherings, etc.
2. A new water playground to increase the swimming pool capacity.
3. The construction of the new proposed Heritage Park in the north end of Farmington.
4. The construction of a new picnic bowery in the South Farmington Park and two replacement boweries in the Main City park.
 1. Replacement of some antiquated playground equipment scattered throughout the City and installation of irrigation telemetry equipment in City Parks and public grounds may also be included pending sufficiency of funds.

The cost impact of these projects would be about \$30 per year tax increase on average for a \$200,000 home. The City Council hoped to encourage citizens to support the bond.

CITY COUNCIL WORK SESSION/CITY HALL KITCHEN AREA

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, and Deputy Recorder Jeane Chipman.

Mayor Connors began discussion at 6:30 P.M. The following items were briefly reviewed:

- \$ The Bond Election open house was discussed.
- \$ Recent events regarding the proposed Legacy Highway were reported. Court action had upheld a Astop work@ order. Impacts on Farmington were discussed.
- \$ Council members inquired about progress regarding UDOT=s intentions to construction an off ramp at Shepard Lane. A decision had not yet been made.

\$ Mr. Forbush suggested amending the agenda to allow citizens in attendance to hear the Council=s position regarding the bond issuance proposal. Some citizens had been to the open house and had waited for the regular Council meeting.

\$ Mayor Connors and some Council Members briefly reviewed issues surrounding a planned public hearing on blocked access to public lands east of the USDS development.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman. City Planner David Petersen was excused.

Mayor Connors called the meeting to order at 7:10 P.M. The invocation was offered by Mary Lomax and the Pledge of Allegiance was led by Bob Hasenyager. The Mayor and City Council members decided to amend the agenda to allow discuss the bond elections issues prior to other items.

REVIEW OF BOND ISSUANCE PROPOSAL/REQUEST FOR SUPPORT/MAYOR DAVID M. CONNORS (Agenda Item #4)

Mayor Connors encouraged support for the proposed issuance of bonds to construct needed public improvements to citizens present and stated that all City Council members were strongly supportive of the proposal. Several of the proposed projects had been in the planning stages for years. Citizens living in the Oakridge area have long wanted construction of a new park on City land, but financing had not been possible. If approved by voters, the new park would be called AHeritage Park@.

The other projects to be financed through the issuance of bonds included:

\$ An addition to the City Hall to be used as a Community Center for performing arts, classes, and other public uses and private rentals.

\$ A new water playground to increase the swimming pool capacity.

\$ The construction of two replacement park picnic boweries at the Main Park and construction of a new bowery in South Park.

Susan Holmes detailed the four projects and why they would be beneficial to the City, including the following points:

\$ Over 1,000 children, youth and adults participate in the City=s recreational

theater. The City has no adequate performance or practice facilities or rooms for small public meetings. The Community Center addition to the City Hall would provide for those needs. The proposed Center would provide beneficial amenities such as a kitchen, class rooms, rehearsal hall, a place for wedding receptions, and sufficient room for a variety of events.

- \$ During summer months when the City=s swimming pool is open, there are as many as 100 people a day turned away because of capacity restrictions. The proposed new water playground would increase the City=s pool capacity without substantially increasing costs.
- \$ Residents in the northern part of Farmington have waited for about 10 years for a park in their area. The Heritage Park proposal was designed to meet the growing needs in that area as well as providing a lovely park facility for the entire City.
- \$ Two existing park boweries are in critical need of replacement. The roofs leak when it rains. South Park is surrounded by many families, yet it lacks a picnic bowery for neighborhood and family use.

David Hale reported that the bond election issues was placed on the November ballot by the City Council in response to earlier citizen requests. A public survey had been conducted last year which indicated a majority of citizens felt a need for the projects and favored an increase in taxes to accomplish the work. The Council was in full support of citizen wishes in this regard.

Mayor Connors stated that he and Council members were very interested in public input. A sign up sheet was available for citizens to sign during the meeting. The cost of the bond election would be on average \$30.00 per year for a home owner of a \$200,000 house. Mr. Forbush reported that an irrigation water telemetry system for City parks and public grounds as well as the replacement of some playground equipment was part of the proposal pending sufficiency of funds.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the August 7, 2002, Special City Council meeting were read and corrected. **Larry Haugen** *MOVED* to approve the minutes as corrected. **David Hale** seconded the motion. The voting was unanimous in the affirmative.

The minutes of the September 4, 2002, City Council Meeting were read and corrected. **Susan Holmes** *MOVED* to approve the minutes as corrected. **David Hale** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen was excused from the meeting because he was out of town. He will report the Planning Commission meeting held September 12th during the next City Council

meeting.

**PUBLIC HEARING: PRESCRIPTIVE RIGHTS ISSUES REGARDING ACCESS
ROADS TO FIRE BREAK ROAD/FOREST SERVICE PROPERTY ON
FARMINGTON=S SOUTHEAST BENCH AREA (Agenda Item #5)**

Mayor Connors introduced the agenda item. He reminded those in attendance that traditionally, public hearings in Farmington had been a time for citizens to express differences in a civil and courteous manner. It had also been tradition for the City Council to encourage public comment and to listen carefully to all sides before making decisions. With that, he opened the meeting to a *PUBLIC HEARING*.

Michael Dunn (representative of Congressman Jim Hansen) read a letter outlining Mr. Hansen=s opinion that the closure of access points through the Hughes Estates subdivision to public lands to the east was illegal and that the City should pursue a course of action to compel USDS (developers of Hughes Estates) to reopen the access points. In Mr. Hansen=s opinion, the closures were illegal because citizens of Farmington had long-standing prescriptive rights.

Randy Klein (member of the Farmington Trails Committee) stated that two of the guiding principles of the Trail Committee were: 1) the legal rights and interests of private property owners should be respected and protected, and 2) public lands ultimately belong to the public and should be accessible, where practical, for the public to responsibly use and enjoy. Mr. Klein said that the Trails Committee supported multiple use, but that did not mean every type of use was appropriate at every location all the time. The erosion scars on the hillsides above Farmington were proof that abuses by all-terrain and off-road vehicles do occur and are significant. When motorized users destroy sensitive vegetation, harm the watershed, and cause erosion, restrictions are appropriate and must be enforced to protect the resource and the public good. Because of limited enforcement resources at this point, the Trail Committee recommended that no motorized use along the fire break road, Bonneville Shoreline Trail alignment, or similar upper bench areas be allowed until issues could be resolved. Mr. Klein stated that it was the belief of the Trail Committee that there was a commitment by the developer of Hughes Estates to maintain public trail access along the fire break road, that this was written on the draft plat map, and therefore continued public access was a condition of the plat approval process. The County is currently developing a Davis County Hillside Master Plan which may have an impact on the access in question. Such access should also be coordinated with Bonneville Shoreline Trail activities. Mr. Klein indicated there were two possible trail alignments, the lower trail referred to as the fire break road and the upper trail on U.S. Forest Service land which follows the Weber Water Conservancy Districts= aqueduct easement.

Melvin Pace (481 South 275 East) stated he felt that he had a right to go to the mountains east of Farmington and that the gates should not be closed to citizens. His family had owned land in Nephi, Utah, where his father built roads and needed to fence a portion of the property for farming reasons. Fencing was denied because State law said citizens had a right to travers the roads and that prescriptive rights gave them authority to access the property.

David Boyd (Farmington resident) stated the hillside was a great amenity for citizens of

Farmington and they should not be denied use of the hillside even on motorized vehicles. His ability to ride a motorcycle on the hillside was part of the reason he moved to Farmington. Erosion was caused by irresponsible citizens. Not every one should be punished for the actions of a few. Erosion was most likely caused by unsupervised youth. He felt the watershed should be protected from irresponsible users and offered to help manage the hillside.

Vertis Andersen (254 East Oak Lane) had been a citizen of Farmington for 33 years. For more than 20 of those years he was a Scout leader and had taken many young men to the mountains and shared outdoor experiences and a love of the area. He had been there on foot, horseback, 4-wheelers, and pickup truck. Early last spring he had been part of a group who noticed the access closure and had complained to the City. He appreciated and respected the City Council for their interest in the problem. He respected the rights of the private property owner and felt there were ways to maintain the owners= rights while still providing access for the citizens to the mountains. Signs need to be posted so that people will not trespass on private property. Mr. Andersen expressed his concern for public safety. If fire broke out in the Forest Service land, Farmington City fire fighters could not get to the area to do their job. Mr. Andersen agreed that responsible motorized use should be encouraged and that youth needed to have adult supervision. He suggested that the upper road be provided for multiple use (including motorized use) and that the lower road be set aside for foot traffic only. Mr. Andersen expressed appreciation for the Trails Committee but said that eliminating all motorized access would limit some citizens from having access to the mountains. He knew of handicapped citizens who could not get to the mountains until they were able to use motorized vehicles. He also reported that new barriers had been placed since the field trip taken by the City Council.

Robby Page (569 East Woodland Drive) stated he was a former Scout of Mr. Andersen=s and very much appreciated the times that his Scout Master had taken him to the mountains. For the 14 or 15 years he could remember, the access to the area being open without any restrictions. He shared Mr. Andersen=s concern about fire safety and maintaining access for emergency vehicles. With the recent drought fire danger was currently very high. Mr. Page reported having smelled camp fires in the area even though they had been restricted.

John Percival (22 East Glover Lane) stated he was an advocate of private property owners= rights. However, he was also an advocate of access to the mountains and referred to several cases where law had supported access to public lands. He felt the City should force the developer to open the gates even if it meant that legal action be taken. He felt a precedence had been established.

Richard Shipley (383 South 500 South) had been a resident of Farmington for 20 years. A majority of the days he had lived here he had walked the fire break road until gates were installed and his access was denied. He currently owns property which allows him private access. He felt that the City had significant public safety challenges. It may be possible to reconfigure the trail access to allow private property rights and still maintain public access to the mountains. The access had been tampered with to the point that no motorized vehicle could get to the hillsides. The City will be taking a side. If the City decides on inaction, then they will be siding

with the developer. If the City decides to take legal action and see that the access is maintained, they will be taking the side of the citizens. Prescriptive rights allow citizens to get to the mountains to the east of the City.

Rusty Hunt (390 East Spencer Way) said he had been riding the road between Farmington and Centerville for many years. Things have changed to the point that that is no longer possible. He felt that through education and enforcement the hillsides could be used by motorized vehicles responsibly. If the area was opened to the public it had to be opened to motorized use.

Anne Martinez (630 Ramsgate Road) appreciated the City Council and their efforts to hear all sides of the issue. She was a member of the Trails Committee and felt there had been some misunderstanding of the Trails Committee statement presented by Mr. Klein. The Trails Committee is in favor of access to public lands and supports the use of trails and open spaces. Users and land owners should work together to protect the hillside. She encouraged citizens to become involved with efforts of the Trails Committee to take care of the hillside. Users should work together for the benefit of all user groups and should care for and police the terrain.

Gavin Kaster (381 North 925 West, Westpoint) said some false information had been sent to public officials about the Therman versus Byran case.

Lou Eddy (2802 E. 1975 North, Kaysville) had been a manager for the Weber Water Conservancy District for 32 years. He said the aqueduct running through the eastern foothills of Farmington was a major water source. If there was an emergency, District officials would have to access the pipeline. If vandalism or erosion over the easement were caused it would have to be repaired. Mr. Eddy responded to questions saying that the District had been given keys to open the gates and that he did not know whether or not the developer had placed the barriers there with District permission.

Mr. Dunn interjected that it was his understanding that the District had not given permission for the barriers to be placed where they were.

In response to other questions, **Mr. Eddy** reported that if the aqueduct was damaged, the main turn off valve would be the first line of defense. The only emergency work that could be done locally without the water being turned off was to divert the water flow from the ruptured pipe.

Stan Allen, (Richfield, Utah) representing his son, Doug, one of the property owners, countered some of the comments made previously in the meeting. He said that in his opinion the law would have to decide whether or not facts existed indicating access through the Hughes Estates was public. Discussion thus far in the public hearing made the assumption that the closure was illegal when in fact it was not. He liked having access to the hillsides of Utah's mountains. He had resided in Utah for 30 years and noted that due to development areas change. He urged that the rights of private property owners not be taken away. If an accident or other problem occurred on the land, the property owner would be liable. If the City wants to buy the

land, then they can be liable. However, there are better uses for public funds. There are also better ways to solve the problem and protect the rights of the land owner. The public could gain access over Forest Service property. The hillside is currently being misused and it has been proven that neither the City nor the County can enforce protection of the property. Any private property owner who could not be protected would be unhappy no matter where they lived. There are many issues involved with this situation. These issues should be settled without City expense.

Harlow Wilcox (1149 South 200 East) said he was a property owner and had paid taxes in Farmington for many years. Mr. Allen had raised serious issues. He felt that the creation of a public corridor through the private property should be carefully reviewed. Did the City plan to pay for that property? Doing so would prove very expensive for the town. Also, it would be very expensive for the City to resolve the access issue legally. Mr. Wilcox felt that if the access was forced on the private property, the land would be devalued. Property owners had paid taxes on that land, some of them for over 100 years. With recent decisions about green belt eliminations, large property owners were being forced to develop their property instead of leaving it as open space. He told of his father who had owned property in Farmington. The father had fenced and gated some of the property to control cattle. People would go through the area and leave the fences open, causing a great deal of trouble. Cows were even killed on the railroad tracks. Property owners have real concerns. There are two sides to the situation. Mr. Wilcox felt that the hillside should not be opened to everyone because it was private land.

Leo Wilcox (1110 South 200 East) said he had lived in Farmington since 1925. He liked that mountains and had many fond memories of the area as he traveled it on foot and on horseback. The entire mountain all the way to Morgan County had been private property until 1936. He and his family herded cattle during the summer up in the mountains. There are a great many trails all through the mountains. And there were fences showing where property lines existed. Most of those fences have since fallen into disrepair. Whenever he or his family members traveled in the mountains they always asked permission of the private land owners. The land owners were not overly concerned about letting people through their land. However, Mr. Wilcox felt land owners had no idea that people would someday feel it was their right to enter the property and call it prescriptive. People who have not lived in Farmington for very long think that the hillside has always been open. Mr. Wilcox understood why people wanted to enjoy the hills. About 50 years ago someone took a blade to the hillside and that is what is called the fire break road now. He felt that people do not have the right to be on the hillside because they do not respect the land nor the rights of private property owners. He could, however, see both sides of the issue. He felt that the City should not get into the situation because of the expense and time legal action would take. Mr. Wilcox referred to information taken from the internet which talked about the rights of private property owners and access to public lands.

Braden Jones (102 West 1100 North) said he felt he should be able to ride his motorized vehicle on the hills otherwise he felt like he would want to pack up and move.

Matthew Liddle (1149 North) stated he wanted to ride his motorcycle in the hills.

Pat Achter (368 Oak Lane) said she remember when she was a member of the City

Council and the developer had come to the Council for permission to create the subdivision. At that time the developer agreed to keep the access to the foothills open. She had left the City Council with the understanding that it would be left open.

Joe Wilcox (140 East 100 South) said there existed an old right-of-way up through the area under discussion that had been there for decades. He also said he had lived in the City for many years and had seen a great deal of change due to development. Things cannot stay the same.

Vertis Andersen stated it was not his intention to trespass on private land. He volunteered to help watch and protect the hillside from abuse.

Richard Shipley illustrated on the white board how the developer had landscaped an area owned by the City and moved the access to a different location at which point a gate and barriers had been installed.

With no further comments, **Mayor Connors** *CLOSED* the public hearing. He stated the Council would take all input under consideration and make a determination of what should be done. He asked Council members for their input.

Bob Hasenyager stated he felt strongly the City should guarantee public safety. He was uncomfortable with the delay closures would cause for emergency vehicles. He was supportive of the trail system in the City and felt that public access to the trails should be maintained. Some action needed to be undertaken to judicially assure the trail system in the foothills was provided.

Ed Johnson asked for confirmation regarding property lines and ownership in the area under question. He wanted to know if barriers had been placed on City property.

Mr. Forbush stated that the City owned a little land right around the pump station and the land where the new reservoir was located. There was an old road through the area but it was not a dedicated road.

A discussion of opinions, possible compromises, and ramifications for the City ensued.

Mayor Connors then asked for a report from the Fire Chief.

Chief Gregory stated that he had a key to the gate and a bolt cutter. The gate would not be a real problem. However, there was an area that had been dug out to the extent that none of his emergency vehicles would be able to pass. If there was a fire on the hillside that threatened homes the Chief would act. If the fire came to within 2 mile of homes, the Chief could call for aid from the Federal government who would pay for the first two drops of fire retardant. If a fire came down the mountain, the department would be fighting two types of fires: structure and wild fire. He said another issue is the safety of children on the motorized vehicles using the hillside for recreation. Accidents often happen and time is of the essence in saving lives and helping the

injured. He absolutely needed quick access both into and out of the area.

Mr. Haugen said liability was an extremely important issue.

David Hale stated there will be discussion of legally limiting off-road use by age.

By consensus, the City Council and Mayor assigned David Hale and Larry Haugen as a delegation to the developer to negotiate a balanced approach to resolution of the issues, keeping in mind that public safety is a major concern.

CONSIDERATION OF PETITION BY CHRIS AND SUE GIATRAS TO ADJUST LOT LINE BETWEEN LOTS 13 AND 14 OF SUNSET HILLS SUBDIVISION (Agenda Item #6)

After a very brief discussion, **Ed Johnson** *MOVED* to approve the lot line adjustment as requested by Chris and Sue Giatras to adjust lot lines between Lots 13 and 14 of Sunset Hills Subdivision. **Bob Hasenyager** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)

Ms. Holmes asked for a confirmation of a statement in the *Newsletter* regarding the total City Council support for the bond issuance proposal. By consensus, Council members approved the statement.

Larry Haugen *MOVED* to approve the following items by consent as follows:

- 7-5. Ratification of construction bond agreements previously signed by Mayor Connors.
- 7-6. Approval of June=s and July=s disbursement list.
- 7-7. Approval of October=s *Farmington News*.
- 7-8. Ratification of Police Department Dress Standards Policy as recommended by the Chief of Police.
- 7-9. Approval of Eric Johnson=s leave of absence request as enclosed in the packet.

Susan Holmes seconded the motion, which passed by unanimous vote.

REPORT ON SHEPARD LANE IMPROVEMENTS PROJECT/DISCUSSION WITH OAKRIDGE COUNTRY CLUB (Agenda Item #8)

Mr. Forbush stated that a notice of award and a notice to proceed had been issued by the City Manger for work on the Oakridge Country Club project.

Paul Hirst (City Engineer) explained a change requested by the Oakridge Country Club. They wanted a three-rail fence instead of the two-rail fence as an option and requested that the City share the cost of the upgrade. The contractor had agreed to take only the mark-up submitted under the two-rail fence applying it to the three-rail fence. Initially, the estimated additional cost for a three-rail fence would be \$16,235. Mr. Hirst and the City Manager believed the price difference would be more in the \$13,000 range.

Bob Hasenyager *MOVED* that the City Council authorize the City Manager to proceed with the Oakridge Country Club project as described. **Larry Haugen** seconded the motion, which passed by a unanimous vote.

**REPORT ON BID OPENING OF BRASS COMB/CELEY BAUM HOUSE
RESTORATION PROJECT/ALTERNATIVE COURSES OF ACTION (Agenda Item #9)**

Mr. Forbush presented the Council with information regarding the bid tabulation and report on the Brass Comb/Celey Baum house restoration project. The bids far exceeded the City=s ability to do this project. The City Manager stated that the grant money received could only be used on specific projects meeting government guidelines. He offered possible alternative for use of the grant money, including help with the City=s museum.

Mr. Hasenyager reminded Council members of residents= desire for a small, downtown grocery store.

Susan Holmes *MOVED* that the City Council authorize the City Manager to do the following:

1. Further investigate feasibility to demolish the Brass Comb building from State History and National Park Service.
2. If authorized, transfer excess CDBG funds to Museum building (estimated to be \$35,000+). This must be approved by CDBG State officials. Tentatively, they say it may be possible.
3. Review challenges of both building bids with City Historic Preservation Commission.
4. Gain approval from City Planning Commission to sell two vacant lots with restrictions that planned building replicas be built as per previous approval or in the alternative, do nothing with the properties until it is known what will happen downtown.
5. Approve Change Order with contractor of Museum for additional work if the CDBG and State History grants receive approval.

David Hale seconded the motion, which passed by unanimous vote.

AUTHORIZATION TO APPLY FOR HOMELAND SECURITY GRANT FUNDS
(Agenda Item #10)

The City Manager had asked Paul White, Emergency Preparedness Coordinator, the Fire and Police Chiefs to develop a project to improve the City=s emergency preparedness. Paul White had been working on the grant with a related budget.

Bob Hasenyager *MOVED* that the City Council authorize the City Manager to apply for up to \$10,000 in Homeland Security Grant Funds administered by the State of Utah for purposes of enhancing the City=s Emergency Preparedness programs. **Larry Haugen** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS

Packet information contained the following information:

1. Rick and Mary Ann Johanson requested the City consider a private drive ordinance in order to allow them development of a long narrow parcel of ground.
2. A letter from Matthew Hess was informative regarding ramifications for master planning in and around the Burke Lane area.
3. A letter to Mayor Connors had been received from the Wasatch Front Regional Council advising him of two 2030 Planning Workshops to be held at the Davis County Fairgrounds Building One. One is for Wednesday, September 18, and the other is for Tuesday, September 24. The Mayor, City Council, City Administrator, Planning Commission, and Planners are invited.
4. David Petersen, along with George Chipman, had been attending meetings with different local governmental organizations on the east coast to learn about conservation commissions and their role in maintenance of open space. As members of the Governing Body will recall, this is one of the items on the strategic plan. When Mr. Petersen and Mr. Chipman return, they will be presenting a report of what they have learned. This information will be timely in light of the noticeable enthusiasm of City=s Trails Committee.
5. The City Council was reminded of a special City Council work session between 5:30 and 6:30 P.M. on October 2. The subject is ATransfer of Development Rights@ (TDR=s). The consultant, hired by the Nature Conservancy, who will be visiting with Council Members and Planning Commission is Rick Pruetz. Representatives of the Nature Conservancy will also be present. The Centerville City Council and Planning Commission are also invited to the meeting.
6. A letter had been sent to the City Manager by Doug Allen requesting the City=s participation in paying for some of the erosion control problems experienced

subsequent to the rain storms the first part of September.

Mosquitoes

Mr. Hale reported there would be an influx of mosquitoes due to the swamping of duck hunting land and other seasonal activities. The Mosquito Abatement officials would be requesting a bond approval to increase their ability to spray for the insect.

League of Cities and Towns

Ms. Holmes stated that there were several items of interest during the last meeting of the Utah League of Cities and Towns, to which she was Farmington=s delegate. The issues included:

- \$ Expending finances for grant writers may be a valuable investment. Grant writers can more than pay for their cost by giving the City a good chance at receiving grant funding.
- \$ A resolution regarding motor fuel tax alternatives was passed.
- \$ A resolution was passed regarding the certified tax rate and language therein.
- \$ A resolution regarding effluent water reclamation was passed.
- \$ Another resolution was passed regarding returning severance tax for extracted sand, gravel, and rock to communities for use to mitigate impacts.
- \$ A fifth resolution was passed regarding beer and liquor taxation. The League wanted to increase the tax to help reduce DUI and aid police.

UTOPIA Committee Report

Mr. Johnson reported the Committee organized to investigate possibilities of joining UTOPIA was going well. The consensus of the committee after discussion was to wait and see how things progress in UTOPIA=s quest for bond funding before seeking to become part of the enterprise. The recent economic turndown may affect service providers in a negative way. It would be well to prepare ordinances in advance for future development requiring fiber optic cable when utility infrastructures are installed.

Internet Page

In response to a question by Mr. Johnson, **Mr. Forbush** stated that the City=s web page was nearing completion. He did say that he had concern about the time it would take to maintain the website and keep it current. City Staff has little time for additional tasks.

FEMA Map

Mr. Johnson requested the City Council to consider aiding citizens who wish to have FEMA delete their property from the FEMA flood area. A LOMR study must be done, which is very expensive.

County Sheriff=s Citizens Academy

Mr. Johnson reported that the Sheriff=s Citizens Academy is a very positive experience and will prove beneficial to the participants. The Academy plans to allow participants to ride along with officers and to experience the shooting range.

Three-day Seminar Regarding Fiber Optics

Mr. Johnson requested that the City Council consider sending a member of the UTOPIA Committee to a three-day seminar to be held in New Orleans. Mr. Johnson would contact one of the members to determine interest.

Nominations to a Citizens= Advisory Council

Several names were discussed for nomination to a citizen=s advisory council regarding light rail in Davis County.

FABL Project Overrun

A letter had been received from Scott Daniels, president of the Farmington Area Baseball League (FABL) who stated there had been an overrun in costs for construction of restrooms at the baseball field. He requested the City help fund the overrun.

Ed Johnson *MOVED* that the City Council authorize the City Manager to front FABL \$2,000 for the completion of the restroom construction conditional on FABL refunding to the City \$1,000 out of next seasons revenues. **Larry Haugen** seconded the motion, which passed by unanimous vote.

Economic Planning

As requested, **Mr. Forbush** reported that he had investigated consultants to aid the Council in determining economic development plans for the City. Such consultants could cost as much as \$60,000. Some Council members felt the investment would probably be of benefit to the City. More information will be presented during the next City Council meeting.

Meeting of South Davis Mayors

A luncheon meeting had been planned for October 1 at the Lakeview Hospital. Mayor Connors will be unable to attend. Mr. Hale consented to go in place of the Mayor.

Legacy Highway

The Council discussed recent court developments regarding the Legacy Highway construction. The Davis County organization of local governments (COG) had requested that each City pass a resolution in support of Legacy Highway construction.

ADJOURNMENT

Larry Haugen *MOVED* that the meeting adjourn at 11:10 P.M. **David Hale** seconded the motion.

Margy Lomax, City Recorder
Farmington City